

REMARKS

The Applicant hereby respectfully submits the present *Amendment After Final Rejection* for the above-referenced patent application mailed on 08 April 2005, entry of which is earnestly solicited. Claims 9, 14, 26, and 30, of the present application have been amended; claims 11 and 16 have been canceled. Thus, claims 9-10, 12-15, 17-18, and 26-33 are pending in the present application.

The Applicant realizes entry of this *Amendment* can not be made as a matter of right. However, the Applicant submits the following good and sufficient reasons as to why this *Amendment* is necessary and not presented earlier. The Applicant submits that entry of this *Amendment* is necessary in order to place the application in a suitable condition for allowance.

The Applicant submits that this *Amendment* was not presented earlier because a new prior art reference was utilized by the Examiner to reject independent claims 9 and 14. The Applicant further submits there is no substantial burden on the Examiner to enter this *Amendment*. The Examiner need not conduct another search on the merits as the claim amendments are based on dependent claim limitations.

In the Final Office Action mailed on 08 April 2005, the Examiner indicated that the disclosure was objected to. In particular, the Examiner cited continuing data on top of page 1 as needing an update to include the patented status of parent case 10/156,633. In response, the Applicant amends the continuing data on top of page 1 to include the patented status of parent case 10/156,633 (i.e. U.S. Patent No. 6,848,166). Therefore, the Examiner's objection should now be overcome.

In the same Final Office Action, the Examiner rejected claims 9, 12, 13, 14, 17, 18, and 26-33, of the present application under 35 U.S.C. § 102(e) as

being anticipated by U.S. Patent No. 6,504,677 to Han et al. (hereinafter "Han"). In response, the Applicant respectfully disagrees with these rejections and submits that claims 9, 12, 13, 14, 17, 18, and 26-33 as amended are allowable over the prior art of record for at least the following reasons.

Independent claims 9 and 14 as amended now recite "a yoke comprising a laminated structure of alternating magnetic and dielectric layers formed over the front and the back gap connecting pedestals and having a front edge that is recessed behind the ABS in alignment with the front edge of the front connecting pedestal". The Applicant respectfully submits that no new matter has been added by the amendment of claims 9 and 14. The limitation "comprising a laminated structure of alternating magnetic and dielectric layers" is the limitation from canceled claims 11 and 16. The limitation "in alignment with the front edge of the front connecting pedestal" is based on FIG. 15.

As apparent from the specification, claims, and figures the magnetic head and associated disk drive of the present application relate to a structure which provides for protection of the second pole piece during the ion mill patterning of the yoke. As one skilled in the art would appreciate, this concern is valid only where the structures (i.e. front edges of both the yoke and the front gap connecting pedestal) are recessed from the ABS. This provides for a narrow structure in the pole tip region for high areal density recording.

Also, this concern is valid only for deposited film structures such as "the laminated structure of alternating magnetic and dielectric layers" which are advantageous for eddy current reduction. As one skilled in the art appreciates, such deposited film structures require etching (i.e. milling or an equivalent removal process). On the other hand, no teaching in regards to how yoke 48 in prior art reference Han is formed. Han likely uses electroplating to form yoke 48, techniques which alone are not capable of producing such "laminated structure of alternating magnetic and dielectric layers" of the present application. Therefore, Han fails to teach or suggest such a structure as well as the concerns associated

with its fabrication and operation. The inventive structure provides for high areal density recording and lends itself to improved manufacturability and operability.

In the same Final Office Action, the Examiner rejected claims 11 and 16 of the present application under 35 U.S.C. § 103(a) as being unpatentable over Han in view of U.S. Patent No. 6,296,955 to Hossain et al. (hereinafter “Hossain”). While the Applicant has canceled claims 11 and 16, the limitation “comprising a laminated structure of alternating magnetic and dielectric layers” of claims 11 and 16 has been incorporated in independent claims 9 and 14, as described above. The Examiner submits that “it would have been obvious to one of ordinary skill in the art at the time the invention was made to replace the magnetic material (single layer of NiFe) in the pole of Han et al with a laminated design (NiFe/alumina) as taught by Hossain et al.”

In response, the Applicant respectfully disagrees with these rejections and further submits that independent claims 9 and 14 as amended which recite “a yoke comprising a laminated structure of alternating magnetic and dielectric layers formed over the front and the back gap connecting pedestals and having a front edge that is recessed behind the ABS in alignment with the front edge of the front connecting pedestal” are allowable over the prior art of record for at least the following reasons.

Prior art reference Han in view of prior art reference Hossain fails to show “some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or combine reference teachings” of a magnetic head and associated disk drive utilizing “a yoke comprising a laminated structure of alternating magnetic and dielectric layers formed over the front and the back gap connecting pedestals and having a front edge that is recessed behind the ABS in alignment with the front edge of the front connecting pedestal”.

As apparent from the specification, claims, and figures the magnetic head and associated disk drive of the present application relate to a structure which provides for protection of the second pole piece during the ion mill patterning of the yoke. As one skilled in the art would appreciate, this concern is valid only where the structures (i.e. front edges of both the yoke and the front gap connecting pedestal) are recessed from the ABS. This provides for a narrow structure in the pole tip region for high areal density recording. Also, this concern is valid only for deposited film structures such as "the laminated structure of alternating magnetic and dielectric layers" which are advantageous for eddy current reduction. As one skilled in the art appreciates, such deposited film structures require etching (i.e. milling or an equivalent removal process). Prior art reference Han does not disclose a laminated yoke structure and therefore does not teach any obvious or suitable method for protecting the pole tip during an ion mill patterning. Prior art reference Hossain does not disclose a yoke recessed behind the ABS and therefore does not teach any obvious or suitable method for protecting the pole tip during an ion mill patterning.

From MPEP § 2144.09:

"[T]he presence -or absence- of a suitably operative, obvious process for making a composition of matter may have an ultimate bearing on whether that composition is obvious -or nonobvious- under 35 U.S.C. § 103." *In re Maloney*, 411 F.2d 1321, 1323, 162 USPQ 98, 100 (CCPA 1969). "[I]f the prior art of record fails to disclose or render obvious a method for making a claimed compound, at the time the invention was made, it may not be legally concluded that the compound itself is in the possession of the public. In this context, we say that the absence of a known or obvious process for making the claimed compounds overcomes a presumption that the compounds are obvious, based on the close relationships between their structures and those of prior art compounds." *In re Hoeksama*, 399 F.2d 269, 27475, 158 USPQ 597, 601 (CCPA 1968).

As such, prior art reference Han in view of prior art reference Hossain fails to show “some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art to modify the reference or combine reference teachings” in order to produce the structure of the present application. Therefore, all pending claims of the present application are allowable over the prior art of record.

The additional reasons for allowability of several dependent claims rejected to by the Examiner are not discussed as these rejections are now moot.

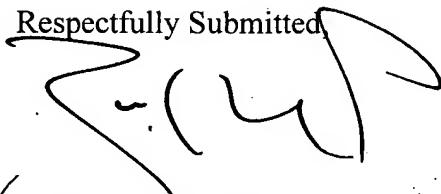
Based on the above, the Applicant respectfully submits that the informalities and rejections of the Office Action have been overcome. Pending claims 9-10, 12-15, 17-18, and 26-33 are allowable over the prior art of record and the application is in a condition suitable for allowance.

Thank you. The Examiner is invited to contact the undersigned if necessary to expedite prosecution for this case.

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Respectfully Submitted,


JOHN J. OSKOREP
Reg. No. 41,234

JOHN J. OSKOREP, ESQ.
ONE MAGNIFICENT MILE CENTER
980 NORTH MICHIGAN AVENUE, SUITE 1400
CHICAGO, ILLINOIS 60611
Telephone: (312) 222-1860 Fax: (312) 214-6303